IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 17180 of 2002

Between:

1. A. Satish Kumar S/o Sree Ramulu, Data Processing Assistants,
Working in APBCL Corporate Officer, Hyderabad.

2. T. Mallikarjuna Rao S/o Lingaiah, Data Processing Assistant,
IML Depot, Warangal.

..... PETITIONERS

AND

1. Government of A.P., represented by its Chief Secretary,
Revenue (Excise –II) Department, Secretariat, Hyderabad.

2. Managing Director, A.P. Beverage Corporation Ltd., 5-10-174,
II & III Floors, NSF Complex, Near Police Control Room, Hyderabad.

3. General Manager, A.P. Beverage Corporation Ltd., 5-10-174,
II & III Floors, NSF Complex, Near Police Control Room, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the first respondent in not furnishing the copy of report dated 06-04-2001 submitted by One Man Committee to the petitioners to enable the petitioners to challenge the G.O.Ms.No.92, dated 28-02-2002 as illegal, arbitrary and unjust and in violation of principles of natural justice and consequently direct the first respondent to furnish the copy of the report dated 06-04-2001 to the petitioners.

Counsel for the Petitioners: MR. V. PADMANABHA RAO

Counsel for Respondent No.1 : G.P. FOR EXCISE
Counsel for the Respondents 2 & 3 : MR. G. MANOHAR

The Court made the following:

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ORDER:

The petitioners filed this writ petition to declare the action of the first respondent in not furnishing a copy of the report dated 06-04-2001 submitted by the One Man Committee enabling the petitioners to challenge the G.O.Ms.No.92 dated 28-02-2002 as illegal.

It is stated that the petitioners filed representation dated
04-04-2002 for supply of a copy of the One Man Committee report and thereafter another representation was also filed on 23-01-2004.

The learned counsel appearing for the petitioners submitted that the writ petition itself could be disposed of directing the respondents to consider the representation dated 23-01-2004.

Having regard to the facts and circumstances of the case, when a representation is pending before the first respondent, the petitioners are not entitled for the self same relief before this Court. Therefore, I deem it appropriate to direct first respondent to consider and dispose of the representation of the petitioners dated 23-01-2004 requesting for furnishing the copy of the One Man Report dated 06-04-2001 and pass appropriate orders on the said representation within six weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations and directions, is accordingly disposed of. No order as to costs.

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V. ESWARAIAH, J

Glv/DA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to

1. The Chief Secretary, Government of A.P.,
Revenue (Excise –II) Department, Secretariat, Hyderabad.

2. The Managing Director, A.P. Beverage Corporation Ltd., 5-10-174,
II & III Floors, NSF Complex, Near Police Control Room, Hyderabad.

3. The General Manager, A.P. Beverage Corporation Ltd., 5-10-174,
II & III Floors, NSF Complex, Near Police Control Room, Hyderabad.

4. Two C Cs to G.P. for Excise, High Court of A.P., Hyderabad (OUT).

5. Two C D copies.